





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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opplication of: Ş Mar Tormo, Ana M. Tari and § Gabriel Lopez-Berestein §

Serial No.: 08/726,211

Filed: October 4, 1996

For: INHIBITION OF Bcl-2 PROTEIN EXPRESSION BY LIPOSOMAL ANTISENSE OLIGODEOXYNUCLEOTIDES Examiner: Unknown

Group Art Unit: Unknown

Atty. Dkt: UTXC:504/WIM

## DECLARATION CLAIMING SMALL ENTITY STATUS 37 C.F.R. §§ 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Board of Regents,

The University of Texas System

Address of Organization: 201 West 7th Street

Austin, Texas 78701

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as  $\overline{\text{defined}}$  in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the abovereferenced application.

I hereby declare that exclusive rights to the invention have been conveyed to and remain with the organization, with respect to the above-referenced invention, nor have I assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e), with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): None

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM

Ray Farabee litle: Vice Chancellor and General Counsel

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which s claimed and for which a patent is sought on the invention entitled INHIBITION OF Bcl-2 PROTEIN EXPRESSION BY LIPOSOMAL ANTISENSE OLIGODEOXYNUCLEOTIDES, the Specification of which:

is attached hereto.
X was filed on October 4, 1996 as Application Serial No. 08/726,211.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A
(Application Serial No.) (Filing Date) (Status)

I hereby direct that all correspondence and telephone calls be addressed to Mark B. Wilson, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 418-3000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Mar
(First)

Inventor's Signature:

Date: 15-I-77

Country of Citizenship: SPAIN

Resident Address: GUILLEM SOROLLA #36, VALENCIA SPAIN

(Include number, street name, city, state, and country)

Post Office Address:
(if different from residence address)

Inventor's Full Name:A	na	М.	Tari '
(Fir	st)	(Initial)	(Last)
Inventor's Signature:	Mu	a/a?	
Date: 1/2/97	Country o	of Citizenship:	Portugal ·
Resident Address: 7500	Kirby ]	Drive, 7311	, Houston, TX, USA
(Include num	ber, stree	et name, city,	state, and country)
Post Office Address:(if different from resid		5)	
Inventor's Full Name: <u>Ga</u>		(Initial)	<u>Lopez-Berestein</u> (Last)
Inventor's Signature:	(	/OU =	2
Date:	·	of Citizenship:	
Resident Address: 122 J			state, and country)
Post Office Address: (if different from resid	ent address	5)	





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Gabriel Lopez-Berestein

Serial No.: 08/726,211

Filed: October 4, 1996 §

For: INHIBITION OF Bcl-2 §
PROTEIN EXPRESSION BY §
LIPOSOMAL ANTISENSE §
OLIGODEOXYNUCLEOTIDES §

Examiner: Unknown

Group Art Unit: Unknown

Atty. Dkt: UTXC:504/WIM

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Assistant Commissioner for Patents Washington, D.C. 20231

Sir

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints Louis T. Pirkey, Reg. No. 22,393; J. Paul Williamson, Reg. No. 29,600; Daniel S. Hodgins, Reg. No. 31,026; Daniel S. Hodgins, Reg. No. 31,026; David L. Parker, Reg. No. 32,165; Barbara S. Kitchell, Reg. No. 33,928; Mark B. Wilson, Reg. No. 37,259; Gary J. Sertich, Reg. No. 34,430; Steven L. Highlander, Reg. No. 37,642; Timothy S. Corder, Reg. No. 38,414; Adam V. Floyd, Reg. No. 39,192; and Shelley P.M. Fussey, Reg. No. 39,458; each an attorney or agent of the firm of ARNOLD, WHITE & DURKEE, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Mark B. Wilson ARNOLD, WHITE & DURKEE P.O. Box 4433 Houston, Texas 77210-4433 (512) 418-3000

ASSIGNEE: BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM

Name: Ray Farabee

Title: Vice Chancellor and General Counsel

Date: 1/23/97
ASSIGNMENT: Concurrently filed